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By: Barbara Bryant
Barbara Bryant

Date: January 9, 2004

Patent
Attorney's Docket No. P-144-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	
	)	
GRIFFIN et al.	)	Group Art Unit: Not yet assigned
	)	
Application No.: 10/691,094	)	Examiner: Not yet assigned
	)	
Filed: October 22, 2003	)	
	)	
For: INDOLINONE DERIVATIVES	)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 CFR §1.56, Applicants hereby submit the following information in conformance with CFR §§1.97 and 1.98. Enclosed herewith is form PTO-1449 which lists documents for consideration by the Examiner. Copies of the cited documents are also enclosed herewith.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. §1.97(g)), or as an admission that the information cited is, or is considered to be, material to patentability (37 C.F.R. §1.97(h)).

Consideration of the listed documents is respectfully requested. Additionally, the Examiner is respectfully requested to return an initialed copy of the enclosed form PTO-1449 to Applicants.Pursuant to 37 C.F.R. §1.98(a)(3)(i), a concise explanation of the relevance of the following non-English language documents is provided:

(1) WO 00/73297 A1 (in German with English abstract) discloses substituted indolinone compounds as tyrosine kinase inhibitors

(2) WO 01/16130 A1 (in German with English abstract) discloses substituted indolinone compounds as tyrosine kinase inhibitors

(3) WO 01/27080 A2 (in German with English abstract) discloses 5-substituted indolinone compounds as inhibitors of various receptor tyrosine kinases

(4) WO 01/27081 A1 (in German with English abstract) discloses 6-substituted indolinone compounds as inhibitors of various receptor tyrosine kinases.

Copies of the U.S. patents and patent application publications cited on the accompanying PTO Form 1449 have been omitted in accordance with the notice published August 5, 2003 in the Official Gazette 55, stating that the requirement under 37 CFR 1.98 (a)(2) for submitting such copies has been waived for U.S. national patent applications filed after June 30, 2003.

This Information Disclosure Statement is being filed before the mailing date of a first official action on the merits for this application and therefore, no fee or certification is required under 37 CFR §1.97(b). In the event that an Office Action is mailed prior to receipt of this paper, the Commissioner is hereby authorized to charge the requisite fees under 37 CFR §1.97(c) for submission of this paper to Deposit Account No. 50-0344.

Should there be any questions concerning the cited documents, the Examiner is encouraged to telephone the undersigned agent for Applicants at (650) 808-3764.

Respectfully submitted,

THERAVANCE, INC.

Date: January 9, 2004

By: Roberta P. Saxon
Roberta P. Saxon, Ph.D.
Registration No. 43,087

THERAVANCE, INC.
901 Gateway Boulevard
South San Francisco, CA 94080
Tel: (650) 808-6000
Fax: (650) 808-6078

PTO/SB/08A (10-01)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known	
Application Number	10/691,094
Filing Date	October 22, 2003
First Named Inventor	John H. GRIFFIN
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	P-144-US2

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No.[1]	Document Number Number - Kind Code[2] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	US-6,130,239	10-10-2000	Chen et al.	
	A2	US-6,258,812 B1	07-10-2001	Bold et al.	
	A3	US-6,395,734 B1	05-28-2002	Tang et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] - Number[4] - Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
	B1	WO 96/40116	12-19-1996	Sugen, Inc. et al.		
	B2	WO 99/61422	12-02-1999	Sugen, Inc. et al.		
	B3	WO 00/38519	07-06-2000	Sugen, Inc. et al.		
	B4	WO 00/73297 A1 in German (with English abstract)	12-07-2000	Boehringer Ingelheim Pharma KG et al.		
	B5	WO 01/16130 A1 in German (with English abstract)	03-08-2001	Boehringer Ingelheim Pharma KG et al.		
	B6	WO 01/25238 A2	04-12-2001	Boehringer Ingelheim Pharma KG et al.		
	B7	WO 01/27080 A2 in German (with English abstract)	04-19-2001	Boehringer Ingelheim Pharma KG et al.		
	B8	WO 01/27081 A1 in German (with English abstract)	04-19-2001	Boehringer Ingelheim Pharma KG et al.		
	B9	WO 01/42243 A2	06-14-2001	Advanced Medicine, Inc. et al.		
	B10	WO 01/60814 A2	08-23-2001	Sugen, Inc. et al.		
	B11	WO 02/02551 A1	01-10-2002	Sugen, Inc. et al.		
	B12	WO 02/055517 A2	07-18-2002	Cui et al.		
	B13	WO 02/16351 A1	02-28-2002	Cor Therapeutics, Inc. et al.		

Examiner Signature		Date Considered	

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[1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 3

Application Number	10/691,094
Filing Date	October 22, 2003
First Named Inventor	John H. GRIFFIN
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	P-144-US2

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	C1	Abrams et al., Abstract: Su6668, a Broad Spectrum Angiogenesis Inhibitor, Is Active in Diverse Models of Tumor Growth and Metastasis", From the Proceedings of the AACR, Vol. 42, March 2001; Copyright 2001 by the American Association for Cancer Research; Online Publication Date: February 27, 2001	
	C2	Abrams et al., "SU6668, a Broad Spectrum Angiogenesis Inhibitor is Active in Diverse Models of Tumor Growth and Metastasis", Presented at AACR, 92nd Annual Meeting, March 24-28, 2001, Ernest N. Morial Convention Center, New Orleans, LA	
	C3	Fiedler et al., "Abstract 1148:A Phase II Study With SU55416 in Patients With c-kit Positive AML", Presented at ASCO 2001, American Society of Clinical Oncology, May 12-15, 2001, Moscone Center, San Francisco, California	
	C4	Fong et al., "SU5416 Is a Potent and Selective Inhibitor of the Vascular Endothelial Growth Factor Receptor (Flk-1/KDR) That Inhibits Tyrosine Kinase Catalysis, Tumor Vascularization, and Growth of Multiple Tumor Types" Cancer Research, Vol. 59, pp 99-106 (January 1, 1999)	
	C5	Laird et al., "SU6668 Is a Potent Antiangiogenic and Antitumor Agent That Induces Regression of Established Tumors[1]", Cancer Research, Vol. 60, pp 4152-4160 (August 1, 2000)	
	C6	Levis et al., "A FLT3 tyrosine kinase inhibitor is selectively cytotoxis to acute myeloid leukemia blasts harboring FLT3 internal tandem duplication mutations", Blood, Vol. 98, Number 3, pp 885-887 (August 1, 2001)	
	C7	O'Farrell et al., Abstract: "[497]SUGEN Compounds SU5416 and SU11248 Inhibit Flt3 Activity:Therapeutic Applications in AML.", Presented at American Society of Hematology Meeting, December 7-11, 2001, Orlando, Florida (1 sheet)	
	C8	Pandey et al., "Identification of Orally Active, Potent, and Selective 4-Piperazinylquinazolines as Antagonists of the Platelet-Derived Growth Factor Receptor Tyrosine Kinase Family", J. Med. Chem, Vol. 45, pp 3772-3793 (2002)	
	C9	Shaheen et al., "Tyrosine Kinase Inhibition of Multiple Angiogenic Growth Factor Receptors Improves Survivial in Mice Bearing Colon Cancer Liver Metastases by Inhibition of Endothelial Cell Survival Mechanisms[1]", Cancer Research, Vol. 61, pp 1464-1468 (February 15, 2001)	
	C10	Sun et al., "Design, Synthesis, and Evaluations of Substituted 3-[3- or 4-Carboxyethylpyrrol-2-yl)methylidenyl]indolin-2-ones as Inhibitors of VEGF, FGF, and PDGF Receptor Tyrosine Kinases", J. Med. Chem., Vol. 42, pp 5120-5130 (1999)	
	C11	Sun et al., Identification of Substituted 3-[4,5,6,7-Tetrahydro-1*H*-indol-2-yl)methylene]-1,3-dihydroindol-2-ones as Growth Factor Receptor Inhibitors for VEGF-R2 (Flk-1/KDR), FGF-R1, and PDGF-Rß Tyrosine Kinases" J. Med. Chem., Vol. 43, pp 2655-2663 (2000)	
	C12	Sun et al., "Synthesis and Biological Evaluations of 3-Substituted Indolin-2-ones: A Novel Class of Tyrosine Kinase Inhibitors That Exhibit Selectivity toward Particular Receptor Tyrosine Kinases", J. Med. Chem., Vol. 41, pp 2588-2603 (1998)	

Examiner Signature		Date Considered	

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[1] Unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.

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Sheet 3 of 3

Compl te if Known	
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Filing Date	October 22, 2003
First Named Inventor	John H. GRIFFIN
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	P-144-US2

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

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	C13	Traxler et al., "Protein tyrosine kinase inhibitors in cancer treatment", Exp. Opin. Ther. Patents, Vol. 7, No. 6, pp 571-588 (1997)	
	C14	Wild et al., Abstract: "SU5416 and SU6668 Inhibit Tyrosine Kinase Mediated Survival Signals and Induce Apoptosis in Myeloid Leukemia Cells", From the Proceedings of the AACR, Vol. 42, March 2001; Copyright 2001 by the American Association for Cancer Research; Online Publication Date: February 27, 2001 (1 sheet)	
	C15	Yee et al., Abstract: "SU5416 inhibits wild-type and activated mutant FLT3 signaling in leukemia cells", Copyright 2001 American Association for Cancer Research; Proceedings of the AACR-NC1-EORTC International Conference; Published as a Supplement to Clinical Cancer Research, Vol. 7, No. 11, November 2001 (1 sheet)	
	C16	Yee et al., "SU5416 and SU5614 inhibit kinase activity of wild-type and mutant FLT 3 receptor tyrosine kinase", Blood, Vol. 100, Number 8, pp 2941-2949 (October 15, 2002)	

Examiner Signature		Dat Considered	

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